

THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL

CENTRAL MASSACHUSETTS DIVISION
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December 11, 2020

Carolyn Hurley, Town Clerk
Town of Fairhaven
40 Center Street
Fairhaven, MA 02719

Re: Fairhaven Annual Town Meeting of July 25, 2020 -- Case # 9884
Warrant Article # 15 (Zoning)

Dear Ms. Hurley:

Article 15 - We approve Article 15, and the related map amendment, from the July 25, 2020¹ Fairhaven Annual Town Meeting.² We will return the approved map to you by regular mail.

Note: Pursuant to G.L. c. 40, § 32, neither general nor zoning by-laws take effect unless the Town has first satisfied the posting/publishing requirements of that statute. Once this statutory duty is fulfilled, (1) general by-laws and amendments take effect on the date these posting and publishing requirements are satisfied unless a later effective date is prescribed in the by-law, and (2) zoning by-laws and amendments are deemed to have taken effect from the date they were approved by the Town Meeting, unless a later effective date is prescribed in the by-law.

Very truly yours,

MAURA HEALEY
ATTORNEY GENERAL

Nicole B. Caprioli

By: Nicole B. Caprioli
Assistant Attorney General
Municipal Law Unit
10 Mechanic Street, Suite 301
Worcester, MA 01608

cc: Town Counsel Thomas Crotty

¹ The posted Warrant called for Town Meeting to be held on June 27, 2020. However, in accordance with G.L. c. 39, § 10A (as amended by Chapter 53 of the Acts of 2020), Town Meeting was postponed until July 25, 2020.

² On November 4, 2020, the Attorney General elected to proceed under the defect waiver provisions of Chapter 299 of the Acts of 2000 for Article 15. In a certification received December 9, 2020, the Town Clerk affirmed that the notice was posted and published in accordance with the provisions of Chapter 299, and that no claims were filed with the Office of the Town Clerk within 21 days of publication. For this reason, the Attorney General is authorized by Chapter 299 to waive (and does so waive) the defects.



Town of Fairhaven Town Clerk's Office

Carolyn Hurley
Town Clerk

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ANNUAL TOWN MEETING – SATURDAY, JULY 25, 2020
WALTER SILVEIRA AUDITORIUM – ELIZABETH HASTINGS MIDDLE SCHOOL
TOWN MEETING MEMBERS PRESENT 152 – QUORUM REQUIRED 40

ARTICLE 15 – AMENDMENT TO ZONING MAP – CROWS ISLAND
MIXED USE ZONING

By 2/3rd vote, the town voted to amend the zoning map as follows:

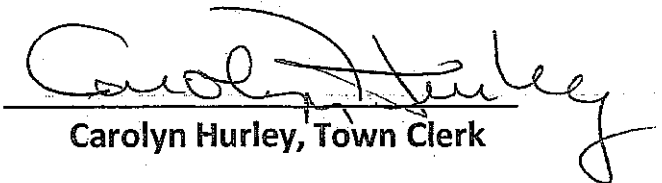
Rezone the following described lot from Single Residence District (RA) to the Mixed Use District (MU):

The land known as Assessors Map 44, Lot 1 and described in a deed recorded at the Bristol County (S.D.) Registry of Deeds at Book 13105, Page 330 as follows:

The land in Fairhaven, Bristol County, Commonwealth of Massachusetts, known as Crow Island, with any buildings or improvements thereon, bounded and described as follows:

A certain island with all buildings and structures hereon, lying and being within the limits of the Town of Fairhaven in the County of Bristol and Commonwealth of Massachusetts and extending by the flats thereto surrounding, to the channel of one Acushnet River in which said island lies, and being that island known as Crow Island, with all the rights in and for said flats to the channel of said river provided by the statutes of said Commonwealth and thereby granted to the owner of said island.

A TRUE COPY, ATTEST:


Carolyn Hurley, Town Clerk